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Crime prevention and criminal justice

Report of the Third Committee

Rapporteur: Ms. Nicola **Hill** (New Zealand)

I. Introduction

1. At its 2nd plenary meeting, on 18 September 2009, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fourth session the item entitled "Crime prevention and criminal justice" and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 5th to 7th, 10th, 15th, 25th, 42nd and 43rd meetings, on 7, 8, 13, 15 and 22 October and on 12 and 19 November 2009. At its 5th to 7th meetings, on 7 and 8 October, the Committee held a general discussion on the item jointly with item 105, entitled "International drug control". An account of the Committee's discussion is contained in the relevant summary records (A/C.3/64/SR.5-7, 10, 15, 25, 42 and 43).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the African Institute for the Prevention of Crime and the Treatment of Offenders (A/64/121);

(b) Report of the Secretary-General on implementation of the mandates of the United Nations Crime Prevention and Criminal Justice Programme, with particular reference to the technical cooperation activities of the United Nations Office on Drugs and Crime (A/64/123);

(c) Report of the Secretary-General on improving the coordination of efforts against trafficking in persons (A/64/130);

(d) Note by the Secretary-General transmitting the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its fourth session (A/64/99);

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(e) Letter dated 28 July from the Permanent Representative of Guinea to the United Nations addressed to the Secretary-General (A/64/227-S/2009/402).

4. At the 5th meeting, on 7 October, the Executive Director of the United Nations Office on Drugs and Crime and Director-General of the United Nations Office at Vienna made an introductory statement (see A/C.3/64/SR.5).

5. At the same meeting, the Executive Director of the United Nations Office on Drugs and Crime responded to questions and comments made by the representatives of Malaysia, Côte d'Ivoire, India, Sierra Leone, Pakistan, the Syrian Arab Republic, Benin, Kenya and the Bahamas (see A/C.3/64/SR.5).

II. Consideration of proposals

A. Draft resolution contained in document A/C.3/64/L.2

6. By its resolution 2009/21, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "Technical assistance for implementing the international conventions and protocols related to terrorism". The draft resolution was reproduced in a note by the Secretariat (A/C.3/64/L.2).

7. At the 15th meeting, on 15 October, the Secretary of the Committee read out a statement regarding programme budget implications arising from the draft resolution (see A/C.3/64/SR.15).

8. Also at its 15th meeting, the Committee adopted the draft resolution contained in document A/C.3/64/L.2 without a vote (see para. 24, draft resolution I).

B. Draft resolution A/C.3/64/L.11 and Rev.1

9. At the 15th meeting, on 15 October, the representative of Belarus, on behalf of Bahrain, Belarus, Ecuador, Nicaragua, the Philippines, Qatar, the Russian Federation and the United Arab Emirates, introduced a draft resolution entitled "Further steps to improve the coordination of efforts against trafficking in persons" (A/C.3/64/L.11). Subsequently, Kyrgyzstan joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Reaffirming* the letter and the spirit of the resolutions of the General Assembly on trafficking in persons,

"*Recalling* Economic and Social Council resolution 2008/33 of 25 July 2008 on strengthening coordination of the United Nations and other efforts in fighting trafficking in persons and previous Council resolutions on trafficking in persons,

"*Taking note* of the Human Rights Council resolution of 12 June 2009 on trafficking in persons, especially women and children,

"*Recalling* the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the Optional Protocol to the

Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,

"*Recalling also* the decisions of the eleventh summit of the African Union Assembly of the Heads of State and Government and of the fifteenth summit of the Heads of State and Government of the Non-Aligned Movement, urging the General Assembly to adopt a United Nations global plan of action against human trafficking, as well as discussions at subregional, regional and global forums on the need to unite and coordinate efforts in combating trafficking in persons at the international level,

"*Recognizing* that new economic pressures are likely to further aggravate the problem of trafficking in persons,

"*Welcoming* the report of the Special Rapporteur on trafficking in persons, especially women and children and the global report on trafficking in persons of the United Nations Office on Drugs and Crime,

"*Welcoming also* the report of the Secretary-General on improving the coordination of efforts against trafficking in persons and the background paper submitted by the Secretary-General to the General Assembly,

"*Welcoming further* the decision of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to establish an open-ended working group on trafficking in persons,

"*Recognizing* the important role of United Nations entities, such as the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the International Labour Organization, the International Organization for Migration and other intergovernmental organizations, in ensuring effective and comprehensive coordination in the global fight against human trafficking,

"*Mindful* of the need to enhance the role of the Special Rapporteur on trafficking in persons, especially women and children, as well as of the Special Rapporteur on the sale of children, child prostitution and child pornography, in fostering the global partnership to eliminate trafficking in persons,

"*Taking note* of the interactive thematic dialogue of the General Assembly entitled 'Taking collective actions to end human trafficking', held on 13 May 2009,

"*Welcoming* the accession in 2008-2009 by a number of Member States to the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,

"1. *Urges* Member States that have not yet done so to consider taking measures to ratify or accede to the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and to implement fully all aspects of those instruments;

"2. *Also urges* Member States that have not yet done so to consider taking measures to ratify or accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Convention on the Elimination of All Forms of Discrimination against Women and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, and to implement fully all aspects of those instruments;

"3. *Welcomes* the decision of the President of the sixty-third session of the General Assembly to start consultations by Member States in order to draw up a United Nations global plan of action against human trafficking, and invites the President of the sixty-fourth session of the General Assembly to ensure the continuity of this process;

"4. *Invites* all Member States to take part in the consultations on such a global plan of action;

"5. *Stresses* the need to ensure the most inclusive nature of the consultations on such a global plan of action by involving in this process, along with Member States, international organizations, civil society, the private sector and the media;

"6. *Invites* the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the International Labour Organization and the International Organization for Migration to provide, within the existing resources, expert and other necessary support to the consultations on such a global plan of action;

"7. *Calls upon* the Special Rapporteur on trafficking in persons, especially women and children, as well as the Special Rapporteur on the sale of children, child prostitution and child pornography to engage actively in the consultations on a global plan of action;

"8. *Also calls upon* all Member States to adopt a United Nations global plan of action against human trafficking during the sixty-fourth session of the General Assembly."

10. At its 42nd meeting, on 12 November, the Committee had before it a revised draft resolution (A/C.3/64/L.11/Rev.1), submitted by Azerbaijan, Bahrain, Bangladesh, Bolivia (Plurinational State of), Belarus, China, Ecuador, Kazakhstan, Kyrgyzstan, Nicaragua, the Philippines, Qatar, the Russian Federation, Turkmenistan, the United Arab Emirates, Tajikistan, Uzbekistan and Zambia[1].

11. At the same meeting, the Committee adopted draft resolution A/C.3/64/L.11/Rev.1 without a vote (see para. 24, draft resolution II).

12. At the 43rd meeting, on 19 November, statements were made by the representatives of the Russian Federation, Zambia (on behalf of the States Members of the United Nations that are members of the Group of African States), Ecuador, Sweden (on behalf of the States Members of the United Nations that are members of the European Union), Nicaragua, Norway, Japan, El Salvador and the United States of America (see A/C.3/64/SR.43).

[1] On behalf of the States Members of the United Nations that are members of the Group of African States.

C. Draft resolution A/C.3/64/L.12 and Rev.1

13. At the 15th meeting, on 15 October, the representative of Italy introduced a draft resolution entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity" (A/C.3/64/L.12). Subsequently, Benin, Colombia, Guatemala, Honduras, Kyrgyzstan, Paraguay and the Republic of Korea joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Recalling* its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, and its resolutions 62/175 of 18 December 2007 and 63/195 of 18 December 2008 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

"*Recalling also* its resolution 60/1 of 16 September 2005 on the 2005 World Summit Outcome, in particular the sections on transnational crime and terrorism,

"*Taking note with appreciation* of the adoption by the Economic and Social Council of the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime, which aims, inter alia, to enhance its effectiveness and flexibility in providing technical assistance and policy services,

"*Recalling* section XI of its resolution 61/252 of 22 December 2006, entitled 'Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body', in which the Commission, as the principal United Nations policymaking body on crime prevention and criminal justice issues, was given the authority to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund, and welcoming the outcome of the reconvened sixteenth session of the Commission, held on 29 and 30 November 2007,

"*Recalling also* its resolution 60/177 of 16 December 2005 entitled 'Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice',

"*Recalling further* its resolution 62/173 of 18 December 2007 entitled 'Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice',

"*Recalling* its resolution 63/193 of 18 December 2008 entitled 'Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice',

"*Expressing its deep concern* about the negative effects that transnational organized crime has on development, human security and human rights, and noting the increasing vulnerability of States to such kinds of criminal activities,

"*Mindful* of the need to ensure the universal application of the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the Protocols thereto,

"*Noting with concern* the existing gaps between ratification of, accession to and implementation of the United Nations Convention against Transnational Crime and the Protocols thereto,

"*Recalling* its resolution 63/226 of 19 December 2008 entitled 'Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption' (Merida Convention),

"*Reaffirming* its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption and all the international conventions and protocols against terrorism, including those that recently entered into force,

"*Recalling* its resolution 62/172 of 18 December 2007 entitled 'Technical assistance for implementing the international conventions and protocols related to terrorism',

"*Reaffirming* the commitments undertaken by Member States in the United Nations Global Counter-Terrorism Strategy adopted on 8 September 2006, and its review of 5 September 2008,

"*Recalling* its resolution 61/180 of 20 December 2006 on improving the coordination of efforts against trafficking in persons and the coordinating role of the United Nations Office on Drugs and Crime in this respect,

"*Recalling also* its resolution 63/194 of 18 December 2008 on improving the coordination of efforts against trafficking in persons,

"*Emphasizing* that its resolution 61/143 of 19 December 2006 on the intensification of efforts to eliminate all forms of violence against women has considerable implications for the United Nations Crime Prevention and Criminal Justice Programme and its activities,

"*Taking into consideration* all relevant Economic and Social Council resolutions, in particular resolutions 2008/23, 2008/24 and 2008/25 of 24 July 2008, and all those relating to the strengthening of international cooperation as well as the technical assistance and advisory services of the United Nations Crime Prevention and Criminal Justice Programme of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance,

"*Welcoming* the outcome of the thematic discussion on aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice held by the Commission at its seventeenth session, in 2008, pursuant to Economic and Social Council decision 2007/253 of 26 July 2007,

"*Welcoming also* the outcome of the thematic discussion on (a) 'Economic fraud and identity-related crime' and (b) 'Penal reform and the reduction of prison overcrowding, including the provision of legal aid in criminal justice systems'

held by the Commission at its eighteenth session, in 2009, pursuant to Economic and Social Council decision 2008/245,

"*Recalling* the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,

"*Recognizing* that actions against transnational organized crime and terrorism are a common and shared responsibility, and stressing the need to work collectively to prevent and combat transnational organized crime, corruption and terrorism in all their forms and manifestations,

"*Convinced* that transnational organized crime is a threat to States and societies, eroding human security and undermining the fundamental obligation of States to provide for law and order, and that combating it serves the double purpose of reducing this direct threat to State and human security and of constituting a necessary step in the effort to prevent and resolve internal conflicts, to combat the spread of weapons and to prevent terrorism,

"*Concerned* about the growing degree of penetration of criminal organizations and their proceeds into legal economy, especially in moments of economic crisis,

"*Deeply concerned* about the ever-increasing links between transnational organized crime and other destabilizing challenges to international peace and security, in particular terrorism, and recalling that these converging threats, as emphasized in the United Nations Convention against Transnational Organized Crime, require the constant updating of international strategies, targeted means and better coordinated multilateral efforts and law enforcement initiatives,

"*Emphasizing* that transnational organized crime must be fought in full respect for the rule of law, and that in the long term the most effective response to this scourge is the promotion of democracy, human rights and equitable socio-economic conditions,

"*Recognizing* the need to maintain a balance in the technical cooperation capacity of the United Nations Office on Drugs and Crime between all relevant priorities identified by the General Assembly and the Economic and Social Council,

"*Taking into consideration* the report of the Executive Director of the United Nations Office on Drugs and Crime, entitled 'Organized Crime and its Threat to Security', which emphasizes that the United Nations Convention against Transnational Organized Crime established the legislative framework to deal with the business of crime and the required mechanisms for international cooperation and stresses the need to fill gaps in their ratification and implementation,

"*Concerned* by the serious challenges and threats posed by the illicit trafficking in firearms, their parts and components and ammunition, and about its links with other forms of transnational organized crime, including drug trafficking and other criminal activities, in particular terrorism, and reaffirming that, in order to better understand and combat these problems, it is necessary to adopt comprehensive strategies and facilitate close and effective cooperation among States,

"*Taking into consideration* the report of the Joint Inspection Unit entitled 'Voluntary contributions in the United Nations system organizations: impact on programme delivery and resource mobilization strategies', in which the United Nations Office on Drugs and Crime was identified as an Office with a high dependency on voluntary earmarked funding,

"1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 63/195;

"2. *Also takes note with appreciation* of the reports of the Secretary-General on improving the coordination of efforts against trafficking in persons, as well as on assistance in implementing the universal conventions and protocols related to terrorism and on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity;

"3. *Reaffirms* the importance of the United Nations Convention against Transnational Organized Crime and the Protocols thereto as the main tools of the international community to fight transnational organized crime;

"4. *Also reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices;

"5. *Requests* the Secretary-General to promote more active cooperation, coordination and regional collaboration in the fight against crime, especially in dealing with its transnational dimension;

"6. *Recognizes* the general progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and assistance to requesting Member States in the areas of corruption, organized crime, money-laundering, terrorism, kidnapping and trafficking in persons, including the support and protection of victims, their families, and witnesses, as well as drug trafficking and international cooperation, with special emphasis on extradition and mutual legal assistance;

"7. *Urges* the United Nations Office on Drugs and Crime to continue providing technical assistance to Member States to combat money-laundering and the financing of terrorism through the Global Programme against Money-Laundering, in accordance with United Nations related instruments and internationally accepted standards, including, where applicable and appropriate, recommendations from relevant intergovernmental bodies, inter alia, the Financial Action Task Force on Money Laundering, and relevant initiatives of regional, interregional and multilateral organizations against money-laundering;

"8. *Recognizes* the efforts made by the United Nations Office on Drugs and Crime to assist Member States in developing abilities and strengthening

their capacity to prevent and combat kidnapping, and requests the Office to continue developing tools for providing technical assistance and cooperation to effectively counter this growing serious crime;

"9. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have transnational organized crime mandates, as appropriate, in order to share best practices and to take advantage of their unique and comparative advantage;

"10. *Draws attention* to the emerging policy issues identified in the report of the Secretary-General, inter alia, urban crime, the sexual exploitation of children, economic fraud and identity-related crime, illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, and, in the context of advisory services and technical assistance, the issue of cybercrime, and invites the United Nations Office on Drugs and Crime to explore, within its mandate, ways and means of addressing these issues, bearing in mind Economic and Social Council resolutions 2007/12 of 25 July 2007 and 2007/19 of 26 July 2007 on the strategy for the period 2008-2011 for the Office;

"11. *Requests* the United Nations Office on Drugs and Crime to strengthen the collection, analysis and dissemination of information to enhance knowledge on crime trends and to support threat assessments in specific areas of crime;

"12. *Urges* Member States and relevant international organizations to develop national and regional strategies, as appropriate, and other necessary measures, in cooperation with the United Nations Crime Prevention and Criminal Justice Programme, to address effectively transnational organized crime, including trafficking in persons, the smuggling of migrants and illicit manufacturing of and transnational trafficking in firearms, as well as corruption and terrorism;

"13. *Urges* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, in combating the illicit trafficking in firearms, their parts and components and ammunition, and to support them in their efforts to address its links with other forms of transnational organized crime, through, inter alia, technical assistance;

"14. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its regional offices in building capacity at the local level in the fight against transnational organized crime and drug trafficking, and urges the Office to consider regional vulnerabilities, projects and impact in the fight against transnational organized crime, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

"15. *Encourages* Member States to support the United Nations Office on Drugs and Crime programme of technical assistance to Somalia and its neighbouring countries in establishing an effective law enforcement response to piracy supported by a robust domestic rule of law framework;

"16. *Calls upon* Member States that have not yet done so to ratify or accede to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against

Corruption and the international conventions and protocols related to terrorism, and encourages States parties to continue to provide full support to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption, including providing information to the conferences regarding compliance with the treaties;

"17. *Requests* the Secretary-General to convene a special high-level meeting of the General Assembly, in the second quarter of 2010, on transnational organized crime and corruption, aimed at fostering universal adherence to the United Nations conventions and at strengthening international cooperation;

"18. *Also requests* the Secretary-General to give prominence to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, as well as to the United Nations Convention against Corruption, at the 2010 treaty event to promote ratification or accession to those instruments;

"19. *Welcomes* the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption in the implementation of their respective mandates, and requests the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to promote, in an effective manner, the implementation of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption and to discharge its functions as the secretariat of the Conferences of the Parties to the Conventions, in accordance with its mandate;

"20. *Welcomes* the progress achieved by the Open-ended Intergovernmental Working Group on Review of the Implementation of the United Nations Convention against Corruption, established by the Conference of the States Parties to that Convention, regarding the development of the terms of reference of the review mechanism, and looks forward to the relevant decision of the Conference at its third session, with a view to considering matters emerging from the decision that may fall under the competence of the Assembly;

"21. *Reiterates its request* to the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, as well as to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, and invites Member States to provide the Office with appropriate resources for its mandate and to fully implement the United Nations Global Counter-Terrorism Strategy;

"22. *Takes note with appreciation* of decision 17/1 of 18 April 2008 of the Commission on Crime Prevention and Criminal Justice entitled 'Strengthening crime prevention and criminal justice responses to violence against women and girls', in which the Commission requested the United

Nations Office on Drugs and Crime to convene an intergovernmental group of experts to review and update, as appropriate, the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice and to make recommendations on addressing violence against women and girls, to be considered by the Commission at its nineteenth session, and requests the Commission to report through the Economic and Social Council to the General Assembly on the outcome of this work;

"23. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by the United Nations Office on Drugs and Crime;

"24. *Reiterates* the importance of providing the United Nations Crime Prevention and Criminal Justice Programme with sufficient, stable and predictable funding for the full implementation of its mandates, in conformity with the high priority accorded to it and in accordance with the increasing demand for its services, in particular with regard to the provision of increased assistance to developing countries, countries with economies in transition and those emerging from conflict, in the area of crime prevention and criminal justice reform;

"25. *Welcomes* the work of the open-ended intergovernmental working group, established by the Commission in its decision 17/2 of 18 April 2008 entitled 'Improving the governance and financial situation of the United Nations Office on Drugs and Crime', to discuss how to ensure political ownership by the Member States and how to improve the governance structure and financial situation of the Office and to make recommendations thereon, to be submitted to the Commission at its eighteenth session, and requests the Commission to report through the Economic and Social Council to the General Assembly to enable further consideration of and potential action on those recommendations;

"26. *Reiterates its request* to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates, in conformity with its high priorities, and to provide adequate support to the Commission;

"27. *Requests* the Secretary-General to organize a high-level (ministerial) segment during the fifth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to discuss ways and means of enhancing the implementation of the Convention and the Protocols thereto;

"28. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixty-fifth session on the implementation of the mandates of the United Nations Crime Prevention and Criminal Justice Programme, reflecting also emerging policy issues and possible responses;

"29. *Further requests* the Secretary-General to include, in the report referred to in the previous paragraph, information on the status of ratifications

or accessions to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, as well as information on the main obstacles encountered by States parties to implementing those instruments."

14. At its 43rd meeting, on 19 November, the Committee had before it a revised draft resolution (A/C.3/64/L.12/Rev.1), submitted by Albania, Algeria,[2] Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, France, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Mongolia, Montenegro, Morocco, the Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Senegal, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Subsequently, Angola, Antigua and Barbuda, Azerbaijan, the Bahamas, Bangladesh, Barbados, Belarus, Belize, Botswana, Burkina Faso, Cameroon, Cape Verde, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea, Grenada, Haiti, Jamaica, Kenya, Lebanon, Liberia, Madagascar, Malawi, Mali, Namibia, the Niger, Nigeria, Papua New Guinea, the Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Serbia, Sierra Leone, the Sudan, Swaziland, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Uganda, Ukraine, the United Republic of Tanzania, Uruguay, Zambia and Zimbabwe joined in sponsoring the draft resolution.

15. At the same meeting, the Secretary of the Committee read out a statement of the programme budget implications arising from the revised draft resolution (see A/C.3/64/SR.43).

16. Also at its 43rd meeting, the Committee adopted draft resolution A/C.3/64/L.12/Rev.1 without a vote (see para. 24, draft resolution III).

17. Before the adoption of the draft resolution, a statement was made by the representative of Liechtenstein; after the adoption of the draft resolution, a statement was made by the representative of the Bolivarian Republic of Venezuela (see A/C.3/64/SR.43).

D. Draft resolution A/C.3/64/L.13

18. At the 15th meeting, on 15 October, the representative of Brazil introduced a draft resolution entitled "Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice" (A/C.3/64/L.13). Subsequently, Angola, Antigua and Barbuda, Argentina, Benin, Bolivia (Plurinational State of), Burundi, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Malawi, Mexico, Mozambique, Namibia, Nicaragua, Nigeria, Panama, the Philippines, Saint Vincent and the Grenadines, Senegal, Turkey, the United Republic of Tanzania and Uruguay joined in sponsoring the draft resolution.

[2] Andorra was listed in error as a sponsor.

19. At the 25th meeting, on 22 October, the Secretary of the Committee read out a statement of the programme budget implications arising from the draft resolution (see A/C.3/64/SR.25).

20. Also at its 25th meeting, the Committee adopted draft resolution A/C.3/64/L.13 without a vote (see para. 24, draft resolution IV).

E. Draft resolution A/C.3/64/L.14

21. At the 10th meeting, on 13 October, the representative of Uganda, on behalf of the States Members of the United Nations that are members of the Group of African States, introduced a draft resolution entitled "United Nations African Institute for the Prevention of Crime and the Treatment of Offenders" (A/C.3/64/L.14).

22. At its 25th meeting, on 22 October, the representative of Uganda orally revised the draft resolution by deleting the fourth preambular paragraph, which read as follows:

> "*Alarmed* that pollution of the environment and climate change in Africa have caused disastrous changes in African countries, severely affecting tourism potential and agricultural production and causing food security problems and, ultimately, poverty and national instability, and recognizing that crime and poverty are interrelated".

23. Also at its 25th meeting, the Committee adopted draft resolution A/C.3/64/L.14, as orally revised, without a vote (see para. 24, draft resolution V).

III. Recommendations of the Third Committee

24. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Technical assistance for implementing the international conventions and protocols related to terrorism

The General Assembly,

Reaffirming all General Assembly and Security Council resolutions related to technical assistance in countering terrorism,

Stressing again the need to strengthen international, regional and subregional cooperation to effectively prevent and combat terrorism, in particular by enhancing the national capacity of States through the provision of technical assistance,

Reaffirming the commitments undertaken by Member States and recalling all aspects of the United Nations Global Counter-Terrorism Strategy, adopted by the General Assembly in its resolution 60/288 of 8 September 2006,

Recalling its resolution 62/272 of 5 September 2008, in which it called upon Member States, the United Nations and other appropriate international, regional and subregional organizations to step up their efforts to implement the Strategy in an integrated manner and in all its aspects, and reaffirmed the need to enhance international cooperation in countering terrorism,

Recalling also its resolution 63/195 of 18 December 2008, in which it requested the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism,

1. *Commends* the United Nations Office on Drugs and Crime, including its Terrorism Prevention Branch, for providing, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols related to terrorism and relevant United Nations resolutions, and requests the Office, within its mandate, to continue to enhance its efforts in that regard, in close coordination with the Counter-Terrorism Committee and the Counter-Terrorism Implementation Task Force;

2. *Urges* Member States that have not yet done so to consider becoming parties without delay to the existing international conventions and protocols related to terrorism, and requests the United Nations Office on Drugs and Crime, within its mandate, to reinforce the provision of technical assistance to Member States, upon request, for the ratification and legislative incorporation of those international legal instruments and for the building of capacity to implement them;

3. *Urges* Member States to strengthen, to the greatest extent possible, international cooperation in order to prevent and combat terrorism, including, when appropriate, by entering into bilateral and multilateral treaties on extradition and mutual legal assistance, within the framework of the international conventions and

protocols related to terrorism and relevant United Nations resolutions and in accordance with international law, including the Charter of the United Nations, and to ensure adequate training of all relevant personnel in executing international cooperation, and requests the United Nations Office on Drugs and Crime, within its mandate, to provide technical assistance to Member States, upon request, to that end;

4. *Recognizes* the importance of the development and maintenance of fair and effective criminal justice systems, in accordance with applicable international law, as a fundamental basis of any strategy to counter terrorism, and requests the United Nations Office on Drugs and Crime, whenever appropriate, to take into account in its technical assistance programme to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

5. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to intensify its efforts to continue to systematically develop specialized legal knowledge in the area of counter-terrorism and pertinent thematic areas of relevance to the mandates of the Office and to provide, upon request, technical assistance for building the capacity of Member States to ratify and implement the international conventions and protocols related to terrorism, especially through the preparation of technical tools and publications and the training of criminal justice officials, and requests the Office to report to the Commission on Crime Prevention and Criminal Justice at its nineteenth and twentieth sessions on the activities of the Office in that regard;

6. *Also requests* the United Nations Office on Drugs and Crime, within its mandate and in coordination with the Counter-Terrorism Committee and its Executive Directorate and the Counter-Terrorism Implementation Task Force, to continue to work with international organizations and relevant entities of the United Nations system, as well as with regional and subregional organizations and arrangements, in the delivery of technical assistance, whenever appropriate;

7. *Expresses its appreciation* to all Member States that have supported the technical assistance activities of the United Nations Office on Drugs and Crime, including through financial contributions, and invites all Member States to consider making additional voluntary financial contributions, as well as providing in kind support, especially in view of the need for enhanced and effective delivery of technical assistance to assist Member States with the implementation of relevant provisions of the United Nations Global Counter-Terrorism Strategy;[1]

8. *Requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with sufficient resources to carry out activities within its mandate, including in the area of counter-terrorism, and, in the context of the strategy for the period 2008-2011 for the Office,[2] to assist Member States, upon request, in the implementation of the relevant elements of the United Nations Global Counter-Terrorism Strategy;

9. *Also requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the implementation of the present resolution.

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[1] Resolution 60/288.

[2] Economic and Social Council resolution 2007/12, annex.

Draft resolution II
Improving the coordination of efforts against trafficking in persons

The General Assembly,

Recalling its resolution 63/194 of 18 December 2008 on improving the coordination of efforts against trafficking in persons and other relevant General Assembly resolutions on trafficking in persons and other contemporary forms of slavery,[1]

Recalling also Economic and Social Council resolution 2008/33 of 25 July 2008, on strengthening coordination of the United Nations and other efforts in fighting trafficking in persons and previous Council resolutions on trafficking in persons,[2]

Welcoming Human Rights Council resolution 11/3 of 17 June 2009 on trafficking in persons, especially women and children,[3]

Recalling the United Nations Convention against Transnational Organized Crime[4] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[5] the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[6] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[7]

Recognizing that, in accordance with article 32 of the United Nations Convention against Transnational Organized Crime, the Conference of the Parties to the Convention is established to improve the capacity of States Parties to combat transnational crime and promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Organized Crime, through facilitating the development and exchange of relevant information, programmes and practices, and by cooperating with relevant international and regional organizations and non-government organizations, and recognizing also that each State Party shall provide the Conference of the Parties with information on its programmes, plans and practices, as well as legislative and administrative measures to implement the Convention,

Taking note of the decisions of the eleventh summit of the African Union Assembly of the Heads of State and Government[8] and the fifteenth summit of the Heads of State and Government of the Non-Aligned Movement,[9] on fostering

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[1] See resolutions 55/67, 58/137, 59/166, 61/144, 61/180, 63/156 and 63/194.

[2] See Economic and Social Council resolution 2003/20.

[3] *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53* (A/64/53), chap. III, sect. A.

[4] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[5] Ibid., vol. 2237, No. 39574.

[6] Ibid., vol. 2171, No. 27531.

[7] Ibid., vol. 266, No. 3822.

[8] See Assembly/AU/Dec.207(XI).

[9] NAM2009/FD.Doc.1.

United Nations global action against human trafficking, the declaration of the European Union Ministerial Conference entitled "Towards Global EU Action against Trafficking in Human Beings", and discussions at other subregional, regional and global forums[10] on the need to unite and coordinate efforts in combating trafficking in persons at the international level,

Recognizing the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on good practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Recognizing also that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery,

Recognizing further the important role of the United Nations entities such as the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the International Labour Organization, the International Organization for Migration and other intergovernmental organizations in ensuring effective and comprehensive coordination in the global fight against human trafficking,

Recognizing the need to continue fostering a global partnership against trafficking in persons and other contemporary forms of slavery,

Recognizing also that trafficking in persons impairs the enjoyment of human rights, continues to pose a serious challenge to humanity and requires a concerted international response,

Taking note with appreciation of the United Nations efforts in fighting trafficking in persons as well as the elaboration of the International Framework for Action to Implement the Trafficking in Persons Protocol,[11] among other efforts, to assist in implementing the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Organized Crime,

Recognizing that the current global economic crises are likely to further aggravate the problem of trafficking in persons,

Aware of the need to raise public awareness with the aim to eliminate demand for trafficking in persons, in particular for the purpose of sexual exploitation and forced labour,

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[10] For example, the Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, held in Bali in February 2002; the European Union-Africa Ministerial Conference on migration and development, held on 22 and 23 November 2006 in Tripoli; the Third World Congress against Sexual Exploitation of Children and Adolescents, held from 25 to 28 November 2008 in Rio de Janeiro, Brazil; the international conference on the theme "Human trafficking at the crossroads", held on 3 March 2009 in Manama; and the Organization for Security and Cooperation in Europe Alliance Conference on the prevention of modern slavery, held on 14 and 15 September 2009 in Vienna.

[11] See http://www.unodc.org/documents/human-trafficking/Framework_for_Action_TIP.pdf.

Reaffirming the commitment made by world leaders at the Millennium Summit[12] and the 2005 World Summit[13] to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons to counter the demand for trafficked victims and to protect the victims,

Welcoming the report of the Special Rapporteur on trafficking in persons, especially women and children,[14] and the *Global Report on Trafficking in Persons* of the United Nations Office on Drugs and Crime,[15]

Welcoming also the report of the Secretary-General on improving the coordination of efforts against trafficking in persons[16] and the background paper[17] submitted by the Secretary-General to the General Assembly,

Taking note of the outcomes of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its fourth session, held in Vienna from 8 to 17 October 2008, in particular its decision 4/4, entitled "Trafficking in human beings",[18] in which the Conference underlined the need to continue to work towards a comprehensive and coordinated approach to address the problem of trafficking in persons through the appropriate national, regional and international mechanisms and acknowledged that the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Crime, was the principal legally binding global instrument to combat trafficking in persons, and in this regard, taking note also of the progress made by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime open-ended interim Working Group on Trafficking in Persons during its meeting, held in Vienna on 14 and 15 April 2009,[19]

Taking note also of the interactive thematic dialogue of the General Assembly entitled "Taking collective actions to end human trafficking", held on 13 May 2009,

Welcoming the accession in 2008-2009 by a number of Member States[20] to the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,

1. *Urges* Member States that have not yet done so to consider taking measures to ratify or accede to the United Nations Convention against Transnational

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[12] See resolution 55/2.

[13] See resolution 60/1.

[14] A/64/290.

[15] United Nations Office on Drugs and Crime (Vienna, 2009).

[16] A/64/130.

[17] www.un.org/ga/president/63/letters/SGbackgroundpaper.pdf.

[18] CTOC/COP/2008/19.

[19] CTOC/COP/WG.4/2009/2.

[20] United Nations Convention against Transnational Organized Crime, as of 29 September 2009: Bahamas (2008), Brunei Darussalam (2008), Indonesia (2009), Iraq (2008), Jordan (2009), Kazakhstan (2008), Liechtenstein (2008), Luxembourg (2008), Mongolia (2008), Qatar (2008), Syrian Arab Republic (2009); Protocol thereto, as of 29 September 2009: Bahamas (2008), Dominican Republic (2008), Indonesia (2009), Jordan (2009), Kazakhstan (2008), Liechtenstein (2008), Luxembourg (2008), Mongolia (2008), Malaysia (2009), Qatar (2009), Togo (2009) and United Arab Emirates (2009).

Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and to implement fully all aspects of those instruments;

2. *Also urges* Member States that have not yet done so to consider taking measures to ratify or accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Convention on the Elimination of All Forms of Discrimination against Women[21] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, and to implement fully all aspects of those instruments;

3. *Welcomes* the steps taken by human rights treaty bodies and the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on violence against women, the Special Representative of the Secretary-General on violence against children, the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on contemporary forms of slavery and United Nations agencies and other concerned intergovernmental and governmental organizations, within their existing mandates, as well as civil society, to address the serious crime of trafficking in persons, and encourages them to continue doing so and to share their knowledge and best practices as widely as possible;

4. *Calls upon* Governments to continue their efforts to criminalize trafficking in persons in all its forms, including for labour exploitation and sexual exploitation of children, to take measures to criminalize child sex tourism, to condemn the practice of trafficking in persons, and to investigate, prosecute, condemn and penalize traffickers and intermediaries, while providing protection and assistance to the victims of trafficking with full respect for their human rights, and invites Member States to continue to support those United Nations agencies and international organizations that are actively involved in victim protection;

5. *Encourages* all stakeholders, including the private sector, to strengthen the coordination of efforts, including through the Inter-Agency Coordination Group against Trafficking in Persons and regional as well as bilateral initiatives that promote cooperation and collaboration;

6. *Recognizes* the importance of comparable data disaggregated by types of trafficking in persons, sex and age, as well as of strengthening national capacity for the gathering, analysing and reporting of such data, and welcomes the efforts of the Inter-Agency Coordination Group against Trafficking in Persons, drawing on the comparative advantages of the respective agencies, to share information, experiences and good practices on anti-trafficking activities of the partner agencies with Governments, other international and regional organizations, non-governmental organizations and other relevant bodies;

7. *Acknowledges* the important work on data collection and analysis conducted by the United Nations Office on Drugs and Crime under its Global Programme against Trafficking in Human Beings, by the International Organization for Migration through its global Counter-Trafficking Module database and by the International Labour Organization;

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[21] United Nations, *Treaty Series*, vol. 1249, No. 20378.

8. *Takes note with appreciation* of the decision of the President of the sixty-third session of the General Assembly to appoint the co-facilitators to start consultations and consideration by Member States of a United Nations global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking, and stresses the need for the consultations to be held in an open, inclusive and transparent manner, taking into account all the views expressed by Member States;

9. *Reiterates its request* to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates on combating trafficking in persons, in conformity with its high priorities, and to provide adequate support to the Commission on Crime Prevention and Criminal Justice, and invites Member States to provide voluntary contributions to the United Nations Office on Drugs and Crime for the purpose of providing assistance to Member States upon request;

10. *Requests* the Secretary-General to invite as appropriate regional organizations to share information on challenges experienced and best practices in coordinating efforts to prevent and combat trafficking in persons;

11. *Also requests* the Secretary-General to submit to the Conference of the Parties to the Convention and the General Assembly at its sixty-fifth session a report on the implementation of the present resolution.

Draft resolution III
Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolutions 46/152 of 18 December 1991, 60/1 of 16 September 2005, 60/177 of 16 December 2005, 61/252 of 22 December 2006, 63/193, 63/194 and 63/195 of 18 December 2008 and 63/226 of 19 December 2008,

Taking note with appreciation of the adoption by the Economic and Social Council of the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,[1] which aims, inter alia, to enhance its effectiveness and flexibility in providing technical assistance and policy services,

Reaffirming its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[2] the United Nations Convention against Corruption[3] and all the international conventions and protocols against terrorism, including those that recently entered into force,

Reaffirming also the commitments undertaken by Member States in the United Nations Global Counter-Terrorism Strategy adopted on 8 September 2006,[4] and its review of 5 September 2008,[5]

Emphasizing that its resolution 61/143 of 19 December 2006 on the intensification of efforts to eliminate all forms of violence against women has considerable implications for the United Nations Crime Prevention and Criminal Justice Programme and its activities,

Welcoming the outcome of the thematic discussion on aspects of violence against women that pertain directly to the Commission on Crime Prevention and Criminal Justice held by the Commission at its seventeenth session, in 2008, pursuant to Economic and Social Council decision 2007/253 of 26 July 2007,

Taking into consideration all relevant Economic and Social Council resolutions, in particular resolutions 2008/23, 2008/24 and 2008/25 of 24 July 2008, and all those relating to the strengthening of international cooperation as well as the technical assistance and advisory services of the United Nations Crime Prevention and Criminal Justice Programme of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance,

Welcoming also the outcome of the thematic discussion on (a) "Economic fraud and identity-related crime" and (b) "Penal reform and the reduction of prison

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[1] See Economic and Social Council resolutions 2007/12 and 2007/19.

[2] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

[3] Ibid., vol. 2349, No. 42146.

[4] Resolution 60/288.

[5] Resolution 62/272.

overcrowding, including the provision of legal aid in criminal justice systems" held by the Commission on Crime Prevention and Criminal Justice at its eighteenth session, in 2009, pursuant to Economic and Social Council decision 2008/245 of 24 July 2008,

Taking note of the *Global Report on Trafficking in Persons* of February 2009 of the United Nations Office on Drugs and Crime and of the joint Council of Europe/United Nations study, *Trafficking in organs, tissues and cells and trafficking in human beings for the purpose of the removal of organs*, of 13 October 2009,

Expressing its grave concern at the negative effects of transnational crime, including smuggling and trafficking of human beings, narcotic drugs, and small arms and light weapons on development, peace and security, and human rights, and at the increasing vulnerability of States to such crime,

Concerned by the serious challenges and threats posed by the illicit trafficking in firearms, their parts and components and ammunition, and about its links with other forms of transnational organized crime, including drug trafficking and other criminal activities, including terrorism,

Emphasizing that transnational organized crime must be addressed in full respect of the principle of States' sovereignty and in accordance with the rule of law as part of a comprehensive response to promote durable solutions through the promotion of human rights and more equitable socio-economic conditions,

Concerned about the growing degree of penetration of criminal organizations and their proceeds into the economy,

Recognizing that actions against transnational organized crime and terrorism are a common and shared responsibility, and stressing the need to work collectively to prevent and combat transnational organized crime, corruption and terrorism in all its forms and manifestations,

Recognizing the need to maintain a balance in the technical cooperation capacity of the United Nations Office on Drugs and Crime between all relevant priorities identified by the General Assembly and the Economic and Social Council,

Recalling that 2010 marks the tenth anniversary of the United Nations Convention against Transnational Organized Crime, and mindful of the need to ensure universal adherence to and full implementation of the Convention and the Protocols thereto,

Welcoming the adoption by the United Nations Office on Drugs and Crime of a regional approach to programming, based on continued consultations and partnerships at the national and regional levels, particularly on its implementation, and focused on ensuring that the Office responds in a sustainable and coherent manner to the priorities of Member States,

Taking note of the implementation of the Political Declaration on Combating Illicit Drug Trafficking, Organized Crime, Terrorism, and Other Serious Crime in the Caribbean, adopted in Santo Domingo on 19 February 2009, as well as the outcomes of the Ministerial Conference on Illicit Drug Trafficking, Transnational Organized Crime and Terrorism as Challenges for Security and Development in Central America, held in Managua on 23 and 24 June 2009, as an example of the new regional programme approach of the United Nations Office on Drugs and Crime,

Recognizing the general progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and assistance to requesting Member States in the areas of corruption, organized crime, money-laundering, terrorism, kidnapping and trafficking in persons, including the support and protection, as appropriate, of victims, their families and witnesses, as well as drug trafficking and international cooperation, with special emphasis on extradition and mutual legal assistance,

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 63/195;[6]

2. *Also takes note with appreciation* of the reports of the Secretary-General on improving the coordination of efforts against trafficking in persons,[7] as well as on assistance in implementing the universal conventions and protocols related to terrorism[8] and on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity;[9]

3. *Reaffirms* the importance of the United Nations Convention against Transnational Organized Crime and the Protocols thereto[2] as the main tools of the international community to fight transnational organized crime;

4. *Also reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices;

5. *Calls upon* Member States to strengthen their efforts to cooperate, as appropriate, at bilateral, subregional, regional and international levels to counter effectively transnational organized crime;

6. *Requests* the United Nations Office on Drugs and Crime to enhance its efforts, within existing resources and within its mandate, in providing technical assistance and advisory services for the implementation of its regional and subregional programmes in a coordinated manner with relevant Member States and regional and subregional organizations;

7. *Requests* the United Nations Office on Drugs and Crime to finalize, as soon as possible, the Santo Domingo Pact, as well as other regional programmes, and the Managua Mechanism document for approval by the States parties in order to start their implementation with all active partners at the subregional, regional and international levels;

8. *Urges* the United Nations Office on Drugs and Crime to continue providing technical assistance to Member States to combat money-laundering and the financing of terrorism through the Global Programme against Money-Laundering, in accordance with United Nations related instruments and

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[6] A/64/123.
[7] A/63/90.
[8] A/63/89.
[9] A/63/99.

internationally accepted standards, including, where applicable, recommendations from relevant intergovernmental bodies, inter alia, the Financial Action Task Force on Money Laundering, and relevant initiatives of regional, interregional and multilateral organizations against money-laundering;

9. *Recognizes* the efforts made by the United Nations Office on Drugs and Crime to assist Member States in developing abilities and strengthening their capacity to prevent and combat kidnapping, and requests the Office to continue to provide technical assistance with a view to fostering international cooperation, in particular mutual legal assistance, aimed at effectively countering this growing serious crime;

10. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have transnational organized crime mandates, as appropriate, in order to share best practices and to take advantage of their unique and comparative advantage;

11. *Draws attention* to the emerging policy issues identified in the report of the Secretary-General on the implementation of the mandates of the United Nations Crime Prevention and Criminal Justice Programme, with particular reference to the technical cooperation activities of the United Nations Office on Drugs and Crime,[6] namely, piracy, cybercrime, sexual exploitation of children and urban crime, and invites the United Nations Office on Drugs and Crime to explore, within its mandate, ways and means of addressing these issues, bearing in mind Economic and Social Council resolutions 2007/12 of 25 July 2007 and 2007/19 of 26 July 2007 on the strategy for the period 2008-2011 for the Office;

12. *Requests* the United Nations Office on Drugs and Crime, within its existing mandate, to strengthen the collection, analysis and dissemination of information to enhance knowledge on crime trends and support Member States in designing appropriate responses in specific areas of crime, in particular in their transnational dimension, taking into account the need to make the best possible use of existing resources;

13. *Urges* Member States and relevant international organizations to develop national and regional strategies, as appropriate, and other necessary measures, in cooperation with the United Nations Crime Prevention and Criminal Justice Programme, to address effectively transnational organized crime, including trafficking in persons, the smuggling of migrants and illicit manufacturing of and transnational trafficking in firearms, as well as corruption and terrorism;

14. *Urges* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, in combating the illicit trafficking in firearms, their parts and components and ammunition, and to support them in their efforts to address its links with other forms of transnational organized crime, through, inter alia, technical assistance;

15. *Encourages* Member States to utilize, as needed, the organized crime threat assessment handbook produced by the United Nations in order to establish an accurate and uniform assessment of domestic threat and to develop responsive and appropriate strategies to combat crime;

16. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its regional offices in building capacity at the local level in the fight

against transnational organized crime and drug trafficking, and urges the Office to consider regional vulnerabilities, projects and impact in the fight against transnational organized crime, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

17. *Encourages* Member States to support the United Nations Office on Drugs and Crime in continuing to provide targeted technical assistance, within its existing mandate, to enhance the capacity of affected States, upon their request, to combat piracy by sea, including by assisting Member States in creating an effective law enforcement response and strengthening their judicial capacity;

18. *Urges* Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[2] the United Nations Convention against Corruption[3] and the international conventions and protocols related to terrorism;

19. *Encourages* States parties to continue to provide full support to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption, including providing information to the conferences regarding compliance with the treaties;

20. *Requests* the Secretary-General, in the framework of the tenth anniversary of the United Nations Convention against Transnational Organized Crime, to convene a special one-day high-level meeting of the General Assembly in the second quarter of 2010 on transnational organized crime, aimed at fostering universal adherence to the Convention and the Protocols thereto and at strengthening international cooperation;

21. *Also requests* the Secretary-General, in the framework of the tenth anniversary of the United Nations Convention against Transnational Organized Crime, to organize a special treaty event to promote ratification or accession to the Convention and the Protocols thereto during the special one-day high-level meeting of the General Assembly referred to in paragraph 20 above;

22. *Urges* Member States to be represented at the Twelfth United Nations Congress on Crime Prevention and Criminal Justice at the highest possible level, and encourage States to continue their preparations for the Congress with a view to making focused and productive contributions to the discussions;

23. *Welcomes* the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Crime and the Conference of the States Parties to the United Nations Convention against Corruption in the implementation of their respective mandates, and requests the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to promote, in an effective manner, the implementation of the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption and to discharge its functions as the secretariat of the Conferences of the Parties to the Conventions, in accordance with its mandate;

24. *Welcomes* the progress achieved by the three Open-Ended Intergovernmental Working Groups on the United Nations Convention against Corruption, established by the Conference of the States Parties to that Convention,

in particular the development of the terms of reference of a review mechanism, and looks forward to the relevant decisions of the Conference at its third session;

25. *Reiterates its request* to the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, as well as to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, and invites Member States to provide the Office with appropriate resources for its mandate;

26. *Takes note* of the draft report of the Intergovernmental Group of Experts to review and update the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice,[10] convened in accordance with Commission on Crime Prevention and Criminal Justice decision 17/1 of 18 April 2008,[11] entitled "Strengthening crime prevention and criminal justice responses to violence against women and girls", and looks forward to the consideration by the Commission of the report of the Group of Experts at its nineteenth session, to be held in Vienna in April 2010;

27. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by the United Nations Office on Drugs and Crime;

28. *Reiterates* the importance of providing the United Nations Crime Prevention and Criminal Justice Programme with sufficient, stable and predictable funding for the full implementation of its mandates, in conformity with the high priority accorded to it and in accordance with the increasing demand for its services, in particular with regard to the provision of increased assistance to developing countries, countries with economies in transition and those emerging from conflict, in the area of crime prevention and criminal justice reform;

29. *Welcomes* resolution 18/3 adopted by the Commission on Crime Prevention and Criminal Justice at its eighteenth session, held at Vienna from 16 to 24 April 2009, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime", by which the Commission adopted the recommendations of the open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, and established a standing open-ended intergovernmental working group on governance and finance, whose mandate shall be in effect until the session of the Commission to be held in the first half of 2011;

30. *Reiterates its request* to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates, in conformity with its high priorities, and to provide adequate support to the Commission;

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[10] Resolution 52/86, annex.

[11] See *Official Records of the Economic and Social Council, 2008, Supplement No. 10* (E/2008/30), chap. I, sect. D.

31. *Recommends* to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, in the framework of the tenth anniversary of the United Nations Convention against Transnational Organized Crime, to organize a high-level segment during the fifth session of the Conference of the Parties to discuss new and emerging forms of crimes, and ways and means of enhancing the implementation of the Convention and the Protocols thereto;

32. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fifth session on the implementation of the mandates of the United Nations Crime Prevention and Criminal Justice Programme, reflecting also emerging policy issues and possible responses;

33. *Also requests* the Secretary-General to include, in the report referred to in paragraph 32 above, information on the status of ratifications or accessions to the United Nations Convention against Transnational Organized Crime and the Protocols thereto.

Draft resolution IV
Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, in which it stipulated the guidelines in accordance with which, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme,[1] should be held,

Recalling also its resolution 60/177 of 16 December 2005 on the follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice,

Recalling further its resolution 63/193 of 18 December 2008, in which it decided that the main theme of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice should be "Comprehensive strategies for global challenges: crime prevention and criminal justice systems and their development in a changing world",

Recalling that, in its resolution 63/193, it requested the Commission on Crime Prevention and Criminal Justice to accord sufficient time at its eighteenth session to reviewing the progress made in the preparations for the Twelfth Congress, to finalize in good time all the necessary organizational and substantive arrangements and to make its final recommendations, through the Economic and Social Council, to the General Assembly,

Recognizing the significant contributions of the congresses in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines,

Recognizing also the efforts already made by the Government of Brazil to prepare for the hosting of the Twelfth Congress in Salvador from 12 to 19 April 2010,

Stressing the importance of undertaking all the preparatory activities for the Twelfth Congress in a timely and concerted manner,

1. *Takes note with appreciation* of the report of the Secretary-General;[2]

2. *Also takes note with appreciation* of the discussion guide[3] prepared by the Secretary-General, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, for the regional preparatory meetings for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice;

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[1] Resolution 46/152, annex.
[2] E/CN.15/2009/9.
[3] A/CONF.213/PM.1.

3. *Acknowledges* the relevance of the regional preparatory meetings, which have examined the substantive items of the agenda and the workshop topics of the Twelfth Congress and made action-oriented recommendations[4] to serve as a basis for the draft declaration to be adopted by the Twelfth Congress;

4. *Requests* the Commission on Crime Prevention and Criminal Justice to begin preparation of a draft declaration at intersessional meetings to be held well in advance of the Twelfth Congress, taking into account the recommendations of the regional preparatory meetings;

5. *Reiterates* its decision, contained in its resolution 63/193, that the high-level segment of the Twelfth Congress shall be held during the last two days of the Congress in order to allow Heads of State or Government or government ministers to focus on the main substantive agenda items of the Congress;

6. *Emphasizes* the importance of the workshops to be held during the Twelfth Congress, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the United Nations Office on Drugs and Crime and to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

7. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the workshops, and encourages States, other entities concerned and the Secretary-General to work together in order to ensure that the workshops focus on the respective issues and achieve practical results, leading to technical cooperation ideas, projects and documents related to enhancing bilateral and multilateral efforts in technical assistance activities in crime prevention and criminal justice;

8. *Reiterates its invitation* to Governments and relevant intergovernmental and non-governmental organizations to inform the Twelfth Congress about their activities aimed at the implementation of the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[5] with a view to providing guidance in the formulation of legislation, policies and programmes in the field of crime prevention and criminal justice at the national and international levels, and, to that end, requests the Secretary-General to compile that information and to prepare a report on the subject to be submitted to the Twelfth Congress for consideration;

9. *Reiterates its request* to the Secretary-General to make available the resources necessary to ensure the participation of the least developed countries in the Twelfth Congress, in accordance with past practice;

10. *Encourages* Governments to make preparations for the Twelfth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view to contributing to a focused and productive discussion on the topics and to participating actively in the organization and conduct of the workshops, the submission of national position

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[4] A/CONF.213/RPM.1/1, A/CONF.213/RPM.2/1, A/CONF.213/RPM.3/1 and A/CONF.213/RPM.4/1.

[5] Resolution 60/177, annex.

papers on the various substantive items of the agenda and the encouragement of contributions from the academic community and relevant scientific institutions;

11. *Reiterates its invitation* to Member States to be represented at the Twelfth Congress at the highest possible level, for example by Heads of State or Government or government ministers and attorneys general, and to participate actively in the high-level segment;

12. *Requests* the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Twelfth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress;

13. *Encourages* the relevant specialized agencies and programmes of the United Nations system and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Twelfth Congress;

14. *Requests* the Secretary-General to ensure, in collaboration with Member States, a wide and effective programme of public information relating to the preparations for the Twelfth Congress, to the Congress itself and to the follow-up to and implementation of its recommendations;

15. *Welcomes* the appointment, by the Secretary-General, of a Secretary-General and an Executive Secretary of the Twelfth Congress, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

16. *Requests* the Secretary-General to prepare an overview of the state of crime and criminal justice worldwide for presentation at the Twelfth Congress, in accordance with past practice;

17. *Calls upon* the Twelfth Congress to formulate concrete proposals for further follow-up and action, paying particular attention to practical arrangements relating to the effective implementation of the international legal instruments pertaining to transnational organized crime, terrorism and corruption and technical assistance activities relating thereto;

18. *Requests* the Commission on Crime Prevention and Criminal Justice at its nineteenth session to give high priority to considering the conclusions and recommendations of the Twelfth Congress, with a view to recommending, through the Economic and Social Council, appropriate follow-up by the General Assembly at its sixty-fifth session;

19. *Requests* the Secretary-General to ensure proper follow-up to the present resolution and to report thereon, through the Commission on Crime Prevention and Criminal Justice, to the General Assembly at its sixty-fifth session.

Draft resolution V
United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 63/196 of 18 December 2008 and all other relevant resolutions,

Taking note of the report of the Secretary-General,[1]

Bearing in mind that weaknesses in crime prevention lead to subsequent difficulties at the level of crime control mechanisms, and also bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Aware of the devastating impact of new and more dynamic crime trends on the national economies of African States and of the fact that crime is a major obstacle to harmonious and sustainable development in Africa,

Noting with concern that the existing criminal justice system in most African countries does not have sufficiently skilled personnel and infrastructure and is therefore ill equipped to manage the emergence of new crime trends, and acknowledging that weak laws and existing justice systems undermine efforts to facilitate the prosecution of these new crime trends,

Bearing in mind the Revised African Union Plan of Action, 2007-2012, aimed at encouraging Member States to participate in and own the regional initiatives for effective crime prevention and good governance and strengthened justice administration,

Emphasizing the need to create necessary coalitions with all partners in the process of achieving effective crime prevention policies,

Recognizing that the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders is a focal point for all professional efforts aiming at promoting the active cooperation and collaboration of Governments, academics, institutions and scientific and professional organizations and experts in crime prevention and criminal justice,

Noting that the financial situation of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Also commends* the initiative of the United Nations Office on Drugs and Crime in strengthening its working relationship with the Institute by supporting and involving the Institute in the implementation of a number of activities, including

[1] A/64/121.

those contained in the Revised African Union Plan of Action, 2007-2012, on strengthening the rule of law and criminal justice systems in Africa;

3. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

4. *Notes* the efforts of the Institute to establish contacts with organizations in those countries which are promoting crime prevention programmes and its maintenance of close links with regional and subregional political entities, such as the African Union Commission, the East African Community, the Commission of the Economic Community of West African States, the Intergovernmental Authority on Development and the Southern African Development Community;

5. *Urges* the States members of the Institute to continue to make every possible effort to meet their obligations to the Institute;

6. *Welcomes* the decision of the Governing Board of the Institute, at its fourth extraordinary session, held in Nairobi on 2 March 2009, to convene a conference of African ministers in November 2009 to discuss measures for improving the flow of resources to the Institute;

7. *Also welcomes* the introduction of a cost-sharing initiative by the Institute in its execution of various programmes with Member States, partners and United Nations entities;

8. *Urges* all Member States and non-governmental organizations and the international community to continue adopting concrete practical measures to support the Institute in the development of the requisite capacity and to implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

9. *Urges* all States that have not already done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[2] as well as the United Nations Convention against Corruption;[3]

10. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

11. *Also requests* the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

12. *Encourages* the Institute to consider focusing on specific and general vulnerabilities of each programme country and to maximize the use of available initiatives to address crime problems with existing funds, as well as available capacity, by creating useful coalitions with regional and local institutions;

13. *Calls upon* the United Nations Office on Drugs and Crime to continue to work closely with the Institute;

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[2] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

[3] Ibid., vol. 2349, No. 42146.

14. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

15. *Also requests* the Secretary-General to continue making concrete proposals, including for the provision of additional core professional staff, to strengthen the programmes and activities of the Institute and to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.